IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

WA.No. 2100 of 2007

AGAINST THE JUDGEMENT IN WPC.9988/2007 Dated 11/07/2007

APPELLANT: PETITIONER:

CANARA BANK REPRESENTED BY ITS
DEPUTY GENERAL MANAGER, CIRCLE OFFICE,
THIRUVANANTHAPURAM.

BY ADV. SRI.O.V.RADHAKRISHNAN (SR.)
SRI.P.GOPINATH

RESPONDENTS: RESPONDENTS:
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1. THE CENTRAL INFORMATION COMMISSION
BLOCK NO.IV, OLD J.N.U CAMPUS,
NEW DELHI-110 067.

2. C.S.SHYAM, CHIRAMEL HOUSE,
KOOTHUNGAL LANE, KOCHUPALLY ROAD,
THOPPUMPADY, KOCHI 682 005.

BY ADV. SRI.T.SANJAY, CGC

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 2100 OF 2007 E

Dated this the 20th September,2007

JUDGMENT

H.L.DATTU, C.J.

Canara Bank, which is a nationalized bank and a prestigious institution in the country, calls in question the orders passed by the Central Information Commission, New Delhi. The Commission, on the request made by the second respondent in the Writ Petition, has directed the Bank to furnish the information requested by the second respondent.

2. Before the learned single Judge, the Bank had raised three issues for consideration and decision. They are as under:

> "(i) Under the Right to Information Act ("the Act" for short) only those information mentioned in Section 4 of the Act alone need be furnished.
>
> (ii) The information requested for by the 2nd respondent is exempted from disclosure by virtue of sub-sections (e) and (j) of Section 8(1) of the Right to Information Act, and
>
> (iii) The information sought for by the 2nd respondent was so voluminous that it is physically impossible to furnish the same without employing considerable manpower and time."

3. Learned single Judge has rejected the Writ Petition by the judgment dated 11th July, 2007. Aggrieved by the same, the Bank is before us in this appeal. At the time of hearing of the appeal for admission, the learned senior counsel Sri.O.V.Radhakrishnan would submit that if the request of the second respondent has to be considered then the Bank would require tremendous manpower and also sufficient time to gather the information.

4. The learned single Judge at paragraph 9 of the judgment has made it

clear that the request of the second respondent before the authorities under the Right to Information Act is for "information in respect of the clerical staff transferred to Ernakulam District of the Canara Bank for the period from 2002 to 2006. Keeping in view the request so made by the second respondent, the learned Judge has come to the conclusion that the stand of the Bank that they would require tremendous manpower and time to collect that information may not be justified. Therefore, the learned Judge has directed the Bank to furnish that information to the second respondent.

5. In the words of the learned Judge:

> "9. The last contention is that the information requested for by the 2nd respondent relates to a period of five years and it would require tremendous manpower and time to gather the same. I do not find much merit in this contention also. It is not as if every day the bank transfers clerical staff. At the most transfers would be only once in a year. In Ext.P1, which is the request made by the 2nd respondent for information, he has specifically stated that the information which he requires is in respect of clerical staff transferred to Ernakulam District of the Canara Bank for the period from 2002 to 2006. Such information for a period of five years cannot be said to be that voluminous requiring tremendous manpower and time. In any event, when the Act does not exempt voluminous information from disclosure, the petitioner cannot deny such information on that ground. In the above circumstances, I do not find any merit in this contention also."

6. After going through the orders passed by the learned single Judge at paragraph 9 of the judgment, what we understand is that the second respondent when he approached the authorities under the provisions of the Right to Information Act, has only requested the Bank to provide him information in respect of the clerical staff transferred to the branches of the Bank in Ernakulam District. In our opinion, to provide that information would not require either tremendous manpower or time. Therefore, the contention canvassed by the

learned senior counsel before us has no merit and the same requires to be rejected.

7. This is the only contention canvassed by the learned senior counsel.

8. In view of the above, we pass the following:

O r d e r

(i). The Writ Appeal is disposed of.

(ii). We direct the Appellant-Bank to furnish information to the second respondent, regarding the transfers made by the Bank in respect of the clerical staff to Ernakulam District for the period from 2002 to 2006 within a month's time from today.

(iii). The Bank will also provide the guidelines for effecting transfer of the clerical staff, if such guidelines are available with them.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/DK